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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,783	09/04/2003	Steven J. Fiore	D/A3195	5495

25453 7590 10/26/2005

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ROCHESTER, NY 14644

EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/654,783

Applicant(s)

FIORE ET AL.

Examiner

Susan S. Lee

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-8,10-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-8,10-14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-8, 10-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (Japan, 2-126281) in view of Kamezaki (Japan, 10-17174).

Sato discloses a photosensitive belt 4 wound on plural rollers supported in frame 8. The photosensitive belt 4 is also stretched between the back-up rollers 27 and roller 49 that read on the plurality of retractable backing members. When a knob 39 (reads on the instant invention's actuating member or lever) is rotated, both backing members 27 and roller 49 are moved in retreating positions. Then, the belt 4 is in a state where it is separated from a developing roller and a cleaning roller and can be removed from the image forming apparatus. Although the abstract do not discussed inserting a new belt, it would be inherent that a new photosensitive belt can be inserted back into the image forming apparatus when the old belt is removed. In Fig. 2, element 41' appears to be a spring that is associated with roller 49.

Sato differs from the instant invention by not disclosing a tension roller.

Kamezaki discloses as prior art (Figs. 9 and 11-14) a belt 8 that has a tension member 18. When the belt 8 is to be removed, the tension member 18 is to slide and rotate in the direction in the direction of arrow 19 (Fig. 11), thus as shown in Fig. 11,

along with the spring 23, the tension member 18 extends in a vertical direction so causing the shape of the belt to be in a different configuration as shown in Fig. 11 from the shape that is shown in Fig. 12. The belt 8 would be deformed, meaning changing its shape by this movement of the tension member 18 along with the spring 23 attached to the tension member 18 as shown in Fig. 13. In addition, as the tension member 18 moves from the first position to the second position in order to remove the belt 8, the shape of the belt 8 is changed due to the tension member 18 stretching it in the vertical direction (shown in Fig. 11). Note translation done by JPO, Detailed Description, paragraphs [0004], [0005], and [0006].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of the belt of Sato with the tension member of Kamezaki so that further tension the belt for better stability of the belt during rotation.

Response to Arguments

Applicant's arguments with respect to claims 1, 4-8, 10-14, and 16 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52).

Art Unit: 2852

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susan S. Lee
Primary Examiner
Art Unit 2852

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